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ORIGINAL

OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ STATE COMMISSION
SECRET CONTROL**COMMISSIONERS**

MIKE GLEASON- Chairman

WILLIAM A. MUNDELL

JEFF HATCH-MILLER

KRISTEN K. MAYES

GARY PIERCE

IN THE MATTER OF THE APPLICATION
OF WWC LICENSE LLC ("WESTERN
WIRELESS CORPORATION") FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER AND
REDEFINITION OF RURAL TELEPHONE
COMPANY SERVICE AREA.

Docket No. T-04248A-04-0239

WWC LICENSE LLC'S RESPONSE TO ALECA MOTION TO CLOSE DOCKET

WWC License LLC ("Western") opposes ALECA's Motion to Close Docket. In its November 18, 2008 motion, ALECA asserts that the docket should be closed because Western has twice been acquired, the record has not been updated and the FCC has required Verizon Wireless to phase out ETC high cost support for the Alltel properties. ALECA's motion is premature and could potentially deprive the State of Arizona of additional access to the federal Universal Service Fund to which Arizona residents continue to contribute.

First, the Alltel acquisition of Western was carried out at the Alltel holding company level. Therefore, Western continued as the operating entity in Arizona for the license areas at issue and was the appropriate entity for ETC designation in those areas. Western's use of "Alltel" as a "dba" had no legal implications for its ETC designation.

Second, with respect to the pending acquisition of Alltel and thus Western by Verizon Wireless, the acquisition similarly will occur at the holding company level and Western will continue for the present as the operating entity of the Western properties and the appropriate

Arizona Corporation Commission

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1 entity to be designated an ETC. The timing and the consequences, if any, of the closing of this
2 latest acquisition should not be presumed until completed. It is therefore premature to take
3 action based on the impact of this anticipated closing.

4 Third, although the FCC has required Verizon Wireless to phase out ETC high cost
5 support funds over 5 years, it is premature to take action that assumes conditions that are not
6 yet effective. Further, the FCC requires only a phase out – not an immediate cut off -- of the
7 ETC funds. Again, the impact of the phase out, if any, on funds that would be received by
8 Western for Arizona should not be presumed. Closing this docket now would effectively
9 preclude any potential receipt of ETC funds for use in Arizona through Western.

10 Finally, Western will inform the Commission when the transaction closes and advise
11 whether the acquisition will result in any change in its request for ETC designation in Arizona.

12
13 WHEREFORE, Alltel requests that ALECA's motion be denied.

14
15 RESPECTFULLY SUBMITTED this 2^d day of December 2008.

16 WWC License LLC

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25 Original and 13 copies of the foregoing
filed this 2^d day of December 2008 with:

Docket Control
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2 this 2nd day of December 2008 to:

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